



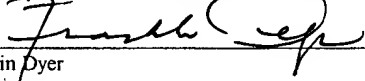
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#13  
5-11-04  
mel

Applicant(s): Tony Altwies et al.  
Title: Method and System for Electronic Data Sales and Distribution Over Wide Area Computer Networks  
Application No.: 09/654,858 Filing Date: September 5, 2000  
Examiner: Firmin Backer Group Art Unit: 3621  
Docket No.: ZILG.265US0 Conf. No.: 7820

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 29, 2004.

  
Franklin Dyer

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

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Sir:

Examiner Firmin Backer and the undersigned attorney discussed this case in a series of phone interviews on April 1, 2004; April 14, 2004 and April 29, 2004. These discussions focused on certain discrepancies in the Office action mailed on February 4, 2004.

In particular, it was pointed out by the undersigned that the rejection under 35 USC 102 was withdrawn with respect to claims 1-5 and 10-25 but the same rejection was then repeated for claims 10-17. The Examiner initially stated that the rejection was withdrawn with respect to all claims and then stated that it was withdrawn only with respect to claims 18-25.

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It was also pointed out that the rejection of claims 1-5 and 10-25 under 35 USC 103 was inconsistent because claims 18-25 were rejected on the grounds "they disclose the same inventive concept as claims 10-17." However, the features of claims 10-17 were not pointed out in the rejection under 35 USC 103. Only claims 1-5 were rejected under 35 USC 103 by attempting to point to specific features in the prior art. It was further pointed out that the claim language of claims 18-25 differed from the previous claims and that these claims had different claim features. A more detailed rejection of these claims was requested that would point out all the claim features in the prior art references.

The Examiner agreed to issue a Supplemental Office action that would correct errors in the Office action and point out the claim features of claims 18-25 in the prior art references.

The undersigned attorney attempted to contact Examiner Backer on April 29, subsequent to the discussion, to discuss the finality of the rejection. The Examiner was not available but a voicemail was left at the Examiner's number. In the voicemail it was noted that the Office action was marked as "final." However, the Office action appeared to reject original (unamended) claims under new grounds of rejection (see, at least, claims 1-5). Therefore, it was requested that the rejection, if made, be made non-final in any Supplemental Office action.

Respectfully submitted,

 4/29/04  
Peter A. Gallagher Date  
Reg. No.: 47,584

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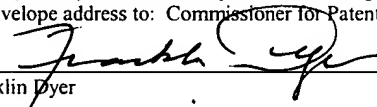
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TRANSMITTAL - INTERVIEW SUMMARY

Sir:

Transmitted herewith are the following documents in the above-identified application:

1. Interview Summary (2 pages)
2. Return Receipt Postcard

Respectfully submitted,

 4/29/04  
Peter A. Gallagher Date  
Reg. No.: 47,584

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Application No.: 09/207,694